MONTANA LEGISLATIVE HISTORY

Chapter 125 ~~19~~ 2005

Bill H _____ S 454 Original bill & history X C

H. Committee on BUSINESS & LABOR			S. Committee on BUSINESS & LABOR		
Hearing Date(s)	3/10	X C	Hearing Date(s) & Exec Action	2/18	X C
Exec Action	3/11	X C			C
		C			C
		C			C
Date Out		C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

LEGISLATIVE HISTORIES SINCE 1997

The scope and depth of legislative committee minutes varies by year and by committee. If you would like additional information about a hearing, you may want to determine whether the hearing was recorded. In addition, some recent floor debates were also recorded. For information on accessing or purchasing these recordings, contact the Historical Society Archives at 406-444-4774.

If you have concerns regarding the format of the enclosed committee minutes or the recordings of the hearings, it is suggested that you contact your state legislators.

Bill Draft Number: LC2132
Bill Type - Number: SB 454
Short Title: Revise requirements for add-on basis consumer loan
Primary Sponsor: Kelly Gebhardt

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 43

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	03/24/2005			
(S) Signed by Governor	03/24/2005			
(S) Transmitted to Governor	03/17/2005			
(H) Signed by Speaker	03/16/2005			
(S) Signed by President	03/16/2005			
(C) Sent to Printing	03/15/2005			
(S) Returned from Enrolling	03/15/2005			
(S) Sent to Enrolling	03/15/2005			
(H) Returned to Senate	03/14/2005			
(H) 3rd Reading Concurred	03/14/2005	97	1	
(H) Scheduled for 3rd Reading	03/14/2005			
(H) 2nd Reading Concurred	03/12/2005	93	6	
(H) Scheduled for 2nd Reading	03/12/2005			
(H) Committee Report--Bill Concurred	03/11/2005			(H) Business and Labor
(H) Committee Executive Action--Bill Concurred	03/11/2005	17	1	(H) Business and Labor
(H) Hearing	03/10/2005			(H) Business and Labor
(H) Referred to Committee	03/07/2005			(H) Business and Labor
(H) First Reading	03/07/2005			
(S) Transmitted to House	02/22/2005			
(S) 3rd Reading Passed	02/22/2005	49	1	
(S) Scheduled for 3rd Reading	02/22/2005			
(S) 2nd Reading Passed on Voice Vote	02/21/2005	50	0	
(S) Scheduled for 2nd Reading	02/21/2005			
(C) Sent to Printing	02/18/2005			
(S) Committee Report--Bill Passed as Amended	02/18/2005			(S) Business, Labor, and Economic Affairs
(S) Committee Executive Action--Bill Passed as Amended	02/18/2005	11	0	(S) Business, Labor, and Economic Affairs
(S) Hearing	02/18/2005			(S) Business, Labor, and Economic Affairs

(C) Introduced Bill Text Available Electronically	02/11/2005	
(S) Referred to Committee	02/11/2005	(S) Business, Labor, and Economic Affairs
(S) First Reading	02/11/2005	
(S) Introduced	02/11/2005	
(C) Draft Delivered to Requester	02/11/2005	
(C) Draft Ready for Delivery	02/11/2005	
(C) Draft in Assembly/Executive Director Review	02/10/2005	
(C) Draft in Final Drafter Review	02/10/2005	
(C) Bill Draft Text Available Electronically	02/10/2005	
(C) Draft in Input/Proofing	02/10/2005	
(C) Draft to Drafter - Edit Review [CAJ]	02/09/2005	
(C) Draft in Edit	02/09/2005	
(C) Draft in Legal Review	02/08/2005	
(C) Draft On Hold	02/07/2005	
(C) Draft to Requester for Review	02/03/2005	
(C) Draft Request Received	01/10/2005	

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	Brueggeman	John	
Drafter	Campbell	Bart	
Primary Sponsor	Gebhardt	Kelly	

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Financial Institutions (see also: Credit Transactions)		Simple	FIN

Additional Bill Information

Probable Fiscal Note: No
Preintroduction Required: N
Session Law Ch. Number: 125

DEADLINE
Category: General Bills
Transmittal Date: 03/01/2005
Return (with 2nd house amendments) Date: 04/06/2005

Section Effective Dates

Section(s)	Effective Date	Date Qualified
All Sections	24-MAR-05	

HOUSE BILL NO. 454

INTRODUCED BY J. PETERSON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A BOARD OF COUNTY COMMISSIONERS TO ALLOW CERTAIN NONRESIDENT PROPERTY OWNERS TO VOTE IN A ROAD LEVY ELECTION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Qualifications to vote on question of tax levy.** (1) A board of county commissioners may adopt a resolution allowing certain nonresident property owners to vote in any levy election authorized under this part. The resolution must state the board's intention to allow a person who is the owner of real property within the county but is not allowed to vote under the provisions of 7-14-2501(2) to vote in any levy election authorized under this part if the person is qualified to vote under 13-1-111.

(2) The board shall set a time for a hearing on the resolution at not less than 2 weeks or more than 4 weeks from the time of the adoption of the resolution. Notice of the hearing must be published as provided in 7-1-2121.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 7, chapter 14, part 25, and the provisions of Title 7, chapter 14, part 25, apply to [section 1].

- END -

MINUTES

MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 18, 2005 at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Duane Grimes (R)
Sen. Dave Lewis (R)
Sen. Glenn Roush (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Jon Tester (D)

Members Absent: None.

Staff Present: Annie Glover, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 424, 2/15/2005; SB 425, 2/15/2005; SB 451, 2/15/2005; SB 454, 2/15/2005; SB 457, 2/15/2005; SB 443, 2/15/2005
Executive Action:	SB 443, SB 454, SB 451, SB 424, SB 425, SB 388, SB 114, SB 380, SB 481, SB 311

01:07:26

HEARING ON SB 454

Opening Statement by Sponsor:

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on **SB 454,** Revise requirements for add-on basis consumer loan.

Proponents' Testimony:

01:08:34 **Mr. Jerry Loendorf, Montana Consumer Finance Association**
01:19:03 **Ms. Mona Jamison, Wells Fargo Financial**
01:25:43 **Mr. Mark Staples, Citi Financial**

Opponents' Testimony: None.

Informational Testimony:

01:27:55 **Ms. Annie Goodwin, Commissioner of Banking and Financial Institutions**

01:28:30
Questions from Committee Members and Responses:

01:35:32
Closing by Sponsor:

01:36:10

HEARING ON SB 457

Opening Statement by Sponsor:

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on **SB 457,** Clarify requirements for cancellation of insurance for nonpayment of premiums.

EXHIBIT(bus40a07)

Proponents' Testimony:

01:37:49 **Mr. Roger McGlenn, Executive Director, Independent Insurance Agents of Montana**
01:41:47 **Mr. Larry Kibbee, Property Casualty Insurers Association of America**

02:16:48 Break.
02:36:35 Resume.

02:36:55

EXECUTIVE ACTION ON SB 443

Motion: **SEN. ROUSH moved that SB 443 DO PASS.**

Discussion:

Vote: **Motion carried 10-1 by voice vote with SEN. STEINBEISSER voting no.**
SEN. COCCHIARELLA proxied for **SEN. TESTER.**
SEN. LEWIS proxied for **SEN. BALYEAT.**

02:38:24

EXECUTIVE ACTION ON SB 454

Motion: **SEN. LEWIS moved that SB 454 DO PASS.**

Motion/Vote: **SEN. LEWIS moved that SB 454 BE AMENDED CONCEPTUALLY. Motion carried unanimously by voice vote.**

Motion: **SEN. LEWIS moved that SB 454 DO PASS AS AMENDED.**

Discussion:

Vote: **Motion carried unanimously by voice vote.**
SEN. COCCHIARELLA proxied for **SEN. TESTER.**
SEN. LEWIS proxied for **SEN. BALYEAT.**

02:41:24

EXECUTIVE ACTION ON SB 451

Motion: **SEN. SQUIRES moved that SB 451 DO PASS.**

Motion: **SEN. SQUIRES moved that SB 451 BE AMENDED CONCEPTUALLY.**

Discussion:

Vote: **Motion carried unanimously by voice vote.**

Motion/Vote: **SEN. SQUIRES moved that SB 451 DO PASS AS AMENDED. Motion carried unanimously by voice vote.**
SEN. COCCHIARELLA proxied for **SEN. TESTER.**
SEN. LEWIS proxied for **SEN. BALYEAT.**

MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

BUSINESS AND LABOR

DATE 2/18/05

NAMES	PRESENT	ABSENT	EXCUSED
SEN. VICKI COCCHIARELLA (D), CHAIRWOMAN	X		
SEN. JOE TROPILA (D), VICE CHAIRMAN	X		
SEN. JOE BALYEAT (R)	X		
SEN. DUANE GRIMES (R)	X		
SEN. DAVE LEWIS (R)	X		
SEN. GLENN ROUSH (D)	X		
SEN. FRANK SMITH (D)	X		
SEN. CAROLYN SQUIRES (D)	X		
SEN. DONALD STEINBEISSER (R)	X		
SEN. BILL TASH (R)	X		
SEN. JON TESTER (D)			X
PAT MURDO, LSD	X		
ANNIE GLOVER, COMMITTEE SECRETARY	X		

MONTANA STATE SENATE
2005 LEGISLATURE

VISITOR REGISTER

BUSINESS AND LABOR

DATE 2/18/05 **BILLS BEING HEARD TODAY** _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Darrell Micken	406 587 4577	MT Speech-Hearing Assn; Speech-Hearing Licensure Bd.	451	✓	
Pat Melby	442-7450	Mt Med Assn	451		✓
Russ Ritter	449-6510	Mt Bankers	424/425		✓
Roger Hagen	459-0773	Enlisted & Officer Assoc of NG of MT	443	✓	
Keith Colbo	443-1593	MIB	424/425		✓
Laura Jo McKamey	434-7242	MSHA	451	✓	
Nanette Smith	443-1570	MSHA	451	✓	
Steve Turkiewicz	443-4121	MBA	424/425		✓
Tempi Rutt	443-4121	MBA	424/425		✓
John Morrison		SAO	424/425	X	
Anna Rosette		SAO	451	X	X
Gloria Hermanson	449-2334	MT Soc of Otolaryngology	451		X
Janis Hayes-Stum	245-6149	Montana Speech Hearing Assn	451	X	
Elaine Spiro	443-4853	Montana Spch Hrg Assoc	451	✓	
Scott Parrott	457-4160	MT Soc. of Otolaryngology	451		✓
Tracie Kenyon	442-9081	Montana Credit Union Network	424/425		✓
Roger Noble	442-9553	FIAM	457	✓	
Jim Nelson	460-770 6925	PCI	457	✓	
Frank Cote	3-9070	FUMIC	457	✓	
Tonia Jamison	442-5581	Wells Fargo Fin.	454	✓	
[illegible]	777-4431	AFSA	454	X	
Gregory Lgendorf	442-6754	MT Consumer Finance Assn	454	X	
Jon Greendorfer	2-5560	FIC, State Farm	443		✓
Greg Van Horsse		State Farm	443		✓
Judicial Impact		AIA	443		✓

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

BUSINESS AND LABOR

DATE 2/18/05

NAMES	PRESENT	ABSENT	EXCUSED
SEN. VICKI COCCHIARELLA (D), CHAIRWOMAN	X		
SEN. JOE TROPILA (D), VICE CHAIRMAN	X		
SEN. JOE BALYEAT (R)	X		
SEN. DUANE GRIMES (R)	X		
SEN. DAVE LEWIS (R)	X		
SEN. GLENN ROUSH (D)	X		
SEN. FRANK SMITH (D)	X		
SEN. CAROLYN SQUIRES (D)	X		
SEN. DONALD STEINBEISSER (R)	X		
SEN. BILL TASH (R)	X		
SEN. JON TESTER (D)			X
PAT MURDO, LSD	X		
ANNIE GLOVER, COMMITTEE SECRETARY	X		

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 443** (first reading copy -- white) **do pass.**

Signed: _____
Senator Vicki Cocchiarella, Chair

- END -

Committee Vote:
Yes 10, No 1.

401242SC.ssc

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 454** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 7.
Following: "PROVIDING"
Insert: "AN IMMEDIATE EFFECTIVE DATE AND"

2. Page 4.
Following: line 22
Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval."
Renumber: subsequent section

- END -

Committee Vote:
Yes 11, No 0.

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 451** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 2, line 9.
Following: "~~disorders~~"
Insert: "nonmedical"

2. Page 2, lines 10 through 27.
Strike: "These services" on line 10 through "impairment." on line 27

3. Page 2, line 30.
Following: "~~disorders~~"
Insert: "nonmedical"

4. Page 3, lines 1 through 18.
Strike: "These services" on line 1 through "disorders." on line 18

- END -

Committee Vote:
Yes 11, No 0.

401626SC.sjo

COMMITTEE FILE COPY

TABLED BILL

The **SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE** TABLED **SB 424, SB 425,** by motion, on **Friday, February 18, 2005.**

(For the Committee)

(Secretary of Senate)

10:00 / 2-19
(Time) (Date)

February 19, 2005 Annie L. Glover, Secretary Phone: 444-4762

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 388** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 1, line 22.
Strike: "Except" through "if"
Insert: "If"

2. Page 1, lines 23 through 24.
Strike: "that" on line 23 through "adjusters" on line 24

3. Page 1, line 26 through line 27.
Strike: subsection (b) in its entirety
Renumber: subsequent subsection

4. Page 1, line 28.
Following: "provide"
Insert: ", without prejudice or bias,"

5. Page 2, line 1.
Strike: "reasonably"

6. Page 2, line 2.
Strike: "reasonable"

7. Page 2, line 4 through line 5.

Committee Vote:
Yes 9, No 2.

Strike: "and" on line 4 through "condition" on line 5
Insert: "that meet industry standards"

- END -

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 114** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 6.
Following: "AUTHORITY"
Insert: "UNLESS OTHERWISE ALLOWED UNDER THE INSURANCE CODE"

2. Page 2, lines 3 through 4.
Strike: "by a" on line 3 through "33-2-101" on line 4
Insert: "in this code"

- END -

Committee Vote:
Yes 9, No 2.

401604SC.sjo

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 380** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 10.
Following: "DISCOUNT CARDS;"
Insert: "PROVIDING CERTAIN EXCEPTIONS, INCLUDING A WAIVER FOR PREFERRED PROVIDER ORGANIZATIONS;"

2. Page 1, line 19.
Strike: "10"
Insert: "11"

3. Page 4, line 2.
Strike: "10"
Insert: "11"

4. Page 4, line 4.
Strike: "10"
Insert: "11"

5. Page 4, line 8.
Strike: "10"
Insert: "11"

6. Page 4.
Following: line 9
Insert: "(1) "Administrator" has the meaning provided for in 33-

Committee Vote:
Yes 11, No 0.

17-102(3)."
Renumber: subsequent subsections

7. Page 4, line 20.
Strike: "(2)(a)"
Insert: "(3)(a)"

8. Page 4, line 22.
Strike: "(2)(a)"
Insert: "(3)(a)"

9. Page 4, line 23.
Strike: "(2)(a)"
Insert: "(3)(a)"

10. Page 4, line 25.
Strike: "(2)(a)"
Insert: "(3)(a)"

11. Page 5.
Following: line 14
Insert: "(10) "Preferred provider organization company" means a company that contracts with health care providers for lower fees than those customarily charged by the health care provider for services and contracts with health insurance issuers, administrators, or self-insured employers to provide access to those lower fees to a particular group of insureds, subscribers, participants, beneficiaries, members, or claimants."
Renumber: subsequent subsections

12. Page 5, line 30.
Following: "medical"
Strike: "are"
Insert: "care"

13. Page 6, lines 1 through 5.
Strike: subsection (c) in its entirety
Insert: "(c) shall provide to a prospective purchaser or user, before purchase, access to a list of health care providers, including the name, address, telephone number, and provider type of each health care provider in the prospective purchaser's or user's service area; and"

14. Page 6, line 12.
Following: the first "cards"
Strike: "and on all cards themselves"

15. Page 6, line 13.
Following: "size,"
Insert: "and on all cards themselves in clear and conspicuous type,"

16. Page 6, line 16.
Strike: "10"
Insert: "11"

17. Page 6, line 18 through line 19.
Strike: subsection (c) in its entirety
Insert: "(c) ensure that if the medical care discount card supplier claims that a specific health care provider offers a discount in conjunction with the medical care discount card, that specific health care provider is contractually bound to provide that discount to the purchaser or user."

18. Page 6, line 25.
Following: the first "fees,"
Strike: "including enrollment fees, paid for"
Insert: "except nominal fees associated with enrollment costs, that were part of the cost of"

19. Page 6, line 30.
Strike: "card issued by it contains"
Insert: "purchaser or user receives with the card"

20. Page 7, line 6.
Following: "**required**"
Insert: "**-- exceptions**"

21. Page 7, line 24.
Strike: "10"
Insert: "11"

22. Page 8.

Following: line 1
Insert: "(7) An administrator that is authorized to do business in this state and that provides medical care discount cards to Montana residents who are members of self-funded group health plans administered by that administrator is not required to obtain a certificate of registration pursuant to this section."
Renumber: subsequent subsections

23. Page 8, line 3.
Following: "commissioner"
Strike: "on"
Insert: "by"

24. Page 8, line 6.
Following: the second "list"
Strike: "quarterly"
Insert: "annually"

25. Page 8, line 11.
Following: "accounts"
Insert: "-- exemptions"

26. Page 8, line 16.
Strike: "$500,000"
Insert: "$50,000"

27. Page 8, line 18.
Strike: "$500,000"
Insert: "$50,000"

28. Page 8, line 30.
Strike: "$500,000"
Insert: "$50,000"

29. Page 9, line 1.
Strike: "$500,000"
Insert: "$50,000"

30. Page 9, line 5.
Strike: "10"

Insert: "11"

31. Page 9, line 6.
Strike: "10"
Insert: "11"

32. Page 9, line 9.
Strike: "10"
Insert: "11"

33. Page 9, line 11.
Strike: "10"
Insert: "11"

34. Page 9.
Following: line 18
Insert: "(10) An administrator that is authorized to do business in this state and that provides medical care discount cards to Montana residents who are members of self-funded group health plans administered by that administrator is exempt from the requirements of this section."

Insert: "NEW SECTION. **Section 10. Waiver of registration and bonding requirements.** The commissioner may waive the requirements of [sections 8 and 9] for any preferred provider organization company. The factors taken into account in granting a waiver include but are not limited to whether the company:

(1) has contracts in place with health care providers residing in this state;

(2) has contracts in place with users and purchasers of health care services residing in this state who use the medical care discount card in conjunction with a self-funded or fully insured health plan;

(3) is primarily in the preferred provider organization business or primarily in the medical care discount card supplier business; and

(4) was in business in this state prior to [the effective date of the act]."
Renumber: subsequent sections

35. Page 9, lines 23 through 25.
Strike: "other purchasing" on line 23 through "mechanisms" on line 24
Insert: "enrollment materials"
Following: "insurance"

Strike: ", are not" on line 24 through "insurance," on line 25

36. Page 10, lines 14 through 15.
Strike: subsection (i) in its entirety
Renumber: subsequent subsections

37. Page 10, line 16.
Strike: "advertising"
Insert: "enrollment materials"

38. Page 10, line 25.
Strike: "10"
Insert: "11"

39. Page 10, line 30.
Strike: "10"
Insert: "11"

40. Page 11, line 1.
Strike: "10"
Insert: "11"

41. Page 11, line 3.
Strike: "10"
Insert: "11"

- END -

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 481** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 1, lines 27 through 30.
Following: "(2)" on line 27
Strike: remainder of line 27 through "injury" on line 30
Insert: "When the same medical condition may be claimed as an injury and an occupational disease, compensation payable to the claimant, the claimant's beneficiaries, or the claimant's dependents may not be duplicated for the same conditions over the same time period"

2. Page 6, line 24.
Following: "known"
Strike: "of exposure to"
Insert: "that the worker's condition resulted from"

3. Page 37, line 27.
Following: line 26
Insert: "NEW SECTION. **Section 40. Coordination instruction.** If House Bill No. 126 is passed and approved and if it includes a section that repeals 39-71-416, then [section 21 of this act], amending 39-71-416, is void."
Renumber: subsequent sections

- END -

Committee Vote:
Yes 11, No 0.

401605SC.sjo

PROXY VOTE

I, the undersigned, hereby authorize Senator Cocchiarella to vote my proxy on any issue before the Senate Business, Labor & Economic Affairs Committee held on Feb. 18, 2005.

SENATOR
STATE OF MONTANA

MONTANA STATE SENATE
2005 LEGISLATURE

VISITOR REGISTER

BUSINESS AND LABOR

DATE 2/18/05 **BILLS BEING HEARD TODAY** _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Darrell Micken	406 587 4577	MT Speech-Hearing Assn. Speech & Hearing Licensure Bd.	451	✓	
Pat Melby	442-7850	Mt Med Assn	451		✓
Russ Ritter	449-6510	Mt Bankers	424/425		✓
Roger Hagen	459-0773	Enlisted & Officer Assoc of NG of MT	443	✓	
Keith Colbo	443-1593	MIB	424/425		✓
Laura Jo McKamey	434-7242	MSHA	451	✓	
Nanette Smith	443-1570	MSHA	451	✓	
Steve Turkiewicz	443-4121	MBA	424/425		✓
Tempi Runft	443-4121	MBA	424/425		✓
John Morrison		SAO	424/425	X	
Anna Rosette		SAO	451	X	X
Gloria Hermanson	449-2334	MT Soc of Otolaryngology	451		X
Janis Hayes-Strum	245-6149	Montana Speech Hearing Assn	451	X	
Duane Spino	443-4853	Montana Spch Hrg Assoc	451	✓	
Scott Pargot	457-4160	MT Soc. of Otolaryngology	451		✓
Tracie Kenyon	442-9081	Montana Credit Union Network	424/425		✓
Logan Mabbett	442-9553	FIAM	457	✓	
John Kohler	760-770 6925	PCI	457	✓	
Frank Cote	3-8070	FUNIC	457	✓	
Nina Jamison	442-5581	Wells Fargo Fin.	454	✓	
[illegible]	773-4431	AFSA	454	X	
Lenore Leonardo	442-6754 2-5560	MT Consumer Finance Assn FIC, State Farm	454 443	X	✓

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

Greg Van Horssen — State Farm — 443 — ✓
Judicic Lemaire — AIA — 443 — ✓

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on March 10, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused:

Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: SB 388, 3/7/2005; SB 108, 3/7/2005; SB 217, 3/7/2005; SB 454, 3/7/2005
Executive Action: HB 654

HEARING ON SB 388

Opening Statement by Sponsor:

SEN. BOB KEENAN (R), SD 5, opened the hearing on **SB 388**, Restrict insurer from steering customer to certain auto repair shops.
00:02:19

Proponents' Testimony:
00:05:19 John Morrison, State Auditor
00:09:27 **REP. JON SONJU, HD 7, KALISPELL**
00:14:59 Gene Dziza, Auto Body Shop Owner
EXHIBIT(buh53a01)
00:22:21 Mark Pollock, Auto Body Shop Owner
00:25:11 Darr Riggert, Auto Body Shop Owner
00:27:27 Dusty Dziza, Collision Craft
EXHIBIT(buh53a02)
00:28:12 Max Yates, Montana Collision Repair Specialist
00:28:30 Dan Shewalter, Whitefish Auto Body
00:28:51 Shawn Basolo, Body Shop Owner

Opponents' Testimony:
00:29:14 Greg Van Horssen, State Farm Insurance
00:35:24 Lloyd Taylor, Great Falls Collision Repair
EXHIBIT(buh53a03)
00:39:48 Dwight Easton, Farmers Insurance Company
00:42:05 Larry Kibbee, Property Casualty Insurance

Informational Testimony: None

Questions from Committee Members and Responses:
00:44:44

Closing by Sponsor:
01:25:34

REPS. HEINERT AND GALLIK entered the room.

HEARING ON SB 108

Opening Statement by Sponsor:

SEN. DAVE LEWIS (R), SD 42, opened the hearing on **SB 108**, Revise laws governing independent contractors.
01:26:26

Proponents' Testimony:
01:35:01 Keith Kelly, Department of Labor and Industry
EXHIBIT(buh53a04)
01:37:52 Jerry Keck, Department of Labor and Industry
EXHIBIT(buh53a05)
01:41:59 Kevin Braun, Department of Labor and Industry
01:50:24 Dave Ccgley, Building Contractor
EXHIBIT(buh53a06)
01:53:49 Jason Miller, United Brotherhood of Carpenters
01:56:32 Cary Hegreberg, Montana Contractors Association
01:57:40 Shawn Bubb, Montana School Boards Association
01:59:53 Riley Johnson, National Federation of Independent Business
02:01:29 Spook Stang, Motor Carriers Association
02:02:49 Barbara Ranf, Montana Chamber of Commerce
02:03:09 Jason Todhunter, Logging Association
02:03:33 Nancy Butler, Montana State Fund
02:03:55 Byron Roberts, Building Industry Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
02:04:39

Closing by Sponsor:
02:20:55

HEARING ON SB 217

Opening Statement by Sponsor:

SEN. LANE LARSON (D), SD 22, opened the hearing on **SB 217**, Revise apprentice training laws.
02:41:38
EXHIBIT(buh53a07)

Proponents' Testimony:

02:46:29 Keith Allen, International Brotherhood of Electrical Workers
02:47:02 Gene Fenderson, Montana Council of Laborers
02:49:35 Jerry Driscoll, AFL-CIO
02:52:22 J.D. Lynch, Montana Building Trades
02:52:58 Jim Ryan, Sheet Metal Workers
02:53:16 John Pejko, Pipefitters Association

Opponents' Testimony:

02:53:38 Greg Smith, Central Electric in Lewistown
02:57:37 Margaret Morgen, Independent Contractors
EXHIBIT(buh53a08)
03:01:18 Cary Hegreberg, Contractors Association

Informational Testimony:

03:01:44 Mark Macki, Department of Labor and Industry

Questions from Committee Members and Responses:

03:02:06

Closing by Sponsor:

03:09:55

HEARING ON SB 454

Opening Statement by Sponsor:

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on **SB 454**, Revise requirements for add-on basis consumer loan.
03:15:09

Proponents' Testimony:

03:16:43 Jerry Leondorf, Financial Institution
03:23:11 Mona Jamison, Wells Fargo Bank
EXHIBIT(buh53a09)

03:25:00 Mark Staples, CitiGroup
03:25:47 Bruce Spenser, Automobile Dealers Association

Opponents' Testimony: None

Informational Testimony:

03:26:19 Annie Goodwin, Commissioner of Banking

Questions from Committee Members and Responses:

03:26:33

Closing by Sponsor:
03:36:25

EXECUTIVE ACTION ON HB 654

Motion: **REP. ARNTZEN moved that HB 654 BE CONCURRED IN.**

Discussion:
03:40:44

Vote: **Motion failed 2-16 by roll call vote with REP. ARNTZEN and REP. MILBURN voting aye.**

Motion/Vote: **REP. GALVIN-HALCRO moved that HB 654 BE TABLED AND THE VOTE REVERSED. Motion carried 16-2 by voice vote with REP. ARNTZEN and REP. MILBURN voting no.**

ADJOURNMENT

Adjournment: 11:50 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT(buh53aad0.TIF)

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS AND LABOR COMMITTEE

DATE 3-10-05

NAME	PRESENT	ABSENT	EXCUSED
REP. JIM KEANE, CHAIR.	✓		
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK			✓
REP. RALPH HEINERT			✓
REP. LLEW JONES	✓		
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: SB 454 Date: 3/10/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
[signature]	AFSCME	X		
Bruce Spencer	MT Auto Dealers	X		
Mona Jamieson	Wells Fargo Fin. Inc	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on March 11, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused:

Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Llew Jones (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: SB 130, 3/7/2005; SB 354, 3/7/2005; SB 203, 3/7/2005; SB 316, 3/7/2005
Executive Action: SB 130, SB 316, SB 454, SB 64, SB 108, SB 165

HEARING ON SB 130

Opening Statement by Sponsor:

SEN. DON RYAN (D), SD 10, opened the hearing on **SB 130**, Revise microbusiness development program.
00:02:08

Proponents' Testimony:
00:04:25 Andy Poole, Department of Commerce
EXHIBIT(buh54a01)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:
00:06:38

HEARING ON SB 354

Opening Statement by Sponsor:

SEN. STEVEN GALLUS (D), SD 37, opened the hearing on **SB 354**, Ban credit scoring in property and auto insurance.
00:07:00

Proponents' Testimony:
00:13:43 Betty Beverly, Senior Citizen Association
00:17:26 Harris Himes, Montana Family Coalition
00:18:01 Mike Gallus, CPA from Butte

Opponents' Testimony:
00:20:14 Frank Cote, Farmers Union Insurance
00:27:03 Roger McGlenn, Independent Insurance Agents
00:29:34 Brian Coleman, Farmers Agent from Helena

Informational Testimony: None

EXECUTIVE ACTION ON SB 316

Motion: REP. ROBERTS moved that SB 316 BE CONCURRED IN.

Discussion:
02:36:38

Vote: Motion carried unanimously by voice vote. REP. KATHLEEN GALVIN-HALCRO voted by proxy. REP. ROBERTS to carry.

EXECUTIVE ACTION ON SB 454

Motion: REP. MCKENNEY moved that SB 454 BE CONCURRED IN.

Discussion:
02:43:07
EXHIBIT(buh54a08)

Motion: REP. GALLIK moved that HB 454 BE AMENDED.

Discussion:
02:44:26

Vote: Motion failed 5-13 by roll call vote with REP. DOWELL, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, and REP. WINDY BOY voting aye. REP. KATHLEEN GALVIN-HALCRO voted by proxy.

Vote: Previous Motion that SB 454 BE CONCURRED IN carried 17-1 by voice vote with REP. JOPEK voting no. REP. KATHLEEN GALVIN-HALCRO voted by proxy. REP. MCKENNEY to carry.

EXECUTIVE ACTION ON SB 64

Motion: REP. MCKENNEY moved that SB 64 BE CONCURRED IN.

Motion: REP. MCKENNEY moved that SB 64 BE AMENDED.

Discussion:
02:50:00
EXHIBIT(buh54a09)

EXHIBIT 8
DATE 3.11.05
SB 454

Amendments to Senate Bill No. 454
3rd Reading Copy

Requested by Representative Dave Gallik

For the House Business and Labor Committee

Prepared by Bartley Campbell
March 11, 2005 (7:01am)

1. Title, line 7.
Strike: "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 4, line 26 through line 28.
Strike: section 5 in its entirety

- END -

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS AND LABOR COMMITTEE

DATE 3-11-05

NAME	PRESENT	ABSENT	EXCUSED
REP. JIM KEANE, CHAIR.	✓		
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR			✓
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT	✓		
REP. LLEW JONES			✓
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		

HOUSE STANDING COMMITTEE REPORT

March 11, 2005

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 454** (third reading copy -- blue) **be concurred in.**

Signed: _____
Representative Jim Keane, Chair

To be carried by Representative Joe McKenney

- END -

Committee Vote:
Yes 17, No 1.

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3/11/05

HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 3.11.05 BILL NO SB 454 MOTION NO. _____

MOTION: BE AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN		✓	
REP. TIM DOWELL	✓		
REP. KEVIN FUREY		✓	
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL		✓	
REP. MEKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA		✓	
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR		✓	

5 13